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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/067,985	02/08/2002	Masoud Loghmani	43454	9926

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Stacey J. Longanecker  
Roylance, Abrams, Berdo & Goodman, L.L.P.  
Suite 600  
1300 19th Street  
Washington, DC 20036

EXAMINER

VU, KIEU D

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 10/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

2/3

**Office Action Summary**

**Application No.**

10/067,985

**Applicant(s)**

LOGHMANI, MASOUD

**Examiner**

Kieu D Vu

**Art Unit**

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 February 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This Office Action is in response to the Application filed 02/09/02 and the Declaration filed 09/09/02.
2. Claims 1-4 are pending.

### ***Oath/Declaration***

3. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

- a. The clause regarding "willful false statements ..." required by 37 CFR 1.68 has been omitted.
- b. It does not identify the provisional application on which priority is claimed.

### ***Drawings***

4. The drawings are objected since it contains unlabeled symbols.  
Figures 1, 2, and 3 contain unlabeled symbols.
5. The drawings are objected to because it contains a typographical error in Figure No. 4. "Sessio Data" should be rewritten as "Session Data"

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate

prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

6. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: reference character 2 and reference character 6 in Figure 4 is not mentioned in the description.

Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing

figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

7. Claims 1-4 are objected to because of the following informalities:

Claim 1 has two periods. Each claim should end with a period, and periods may not be used elsewhere in the claim except for abbreviation. See MPEP 608.01(m).

In the rejection of claim 1, Examiner assumes the first period as a typographical error and that the claim ends after "properly."

Claims 2-4 depend on claim 1; therefore, claims 2-4 are objected on the same rationale applied to claim 1.

### ***Claim Rejections - 35 USC § 112***

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. Claims 1-4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, the term "properly" in claim 1 is a relative term which renders the claim indefinite. The term "properly" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

Claims 2-4 depends on claim 1, therefore, claims 2-4 are rejected on the same rationale.

Regarding claim 3, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Regarding claim 3, the phrase "any other input device" renders the claim indefinite because it is unclear what the input device it encompasses.

Claim 3 recites the limitation "the appropriate outputs". There is insufficient antecedent basis for this limitation in the claim.

Regarding claim 4, line 2, the limitation "that" renders the claim vague and indefinite since it is not clear whether the limitation "that" in line 2 refers to "query" of line 1 or "a unique identifier" of line 1. In the art-based rejection of claim 4, Examiner assumes that the limitation "that" of line 2 refers to "a unique identifier" of line 1.

Regarding claim 4, the limitation "the user" lacks of sufficient antecedent basis.

### ***Claim Rejections - 35 USC § 102***

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

11. Claims 1- 4 are rejected under 35 U.S.C. 102(e) as being anticipated by **Slutsman et al (hereinafter "Slutsman", US Patent 6,604,129)**

Regarding claim 1, Slutsman teaches a **software system** (software system that runs on the server Web Service Control Point (WSCP) 200) column 1, lines 51-65; see Figure 3) **that allows multiple devices to access the same application session at the same time** (Web Service Control Point allows multiple devices 300 to access conference session at the same time; column 1, lines 51-65; see Figure 3), **the software system handles input received from all devices in response to any given query properly** (Web Service Control Point system handles responses received from potential participants in response to the invitation it sent to the potential participants) (Web Service Control Point system handles responses properly by comparing and contrasting conference attributes of the original conference request to the conference attributes of each response; see column 3, lines 49-62).

Regarding claim 2, Slutsman teaches that **the software system allows multiple users to access the same session and interact with that session** (multiple

conference participants access and interact in the conference session; see column 1, lines 52-58).

Regarding claim 3, Slutsman teaches that **the software system allows for inputs from computer keyboards at the same time while responding with the appropriate outputs** (see computer keyboards from participants in Fig. 3) (Web Service Control Point handles multitude of different pre-conference negotiations at the same time; see column 6, lines 34-38) (Web Service Control Point sends each potential conference participant a notice of conference modification; see column 3, lines 65-67).

Regarding claim 4, Slutsman teaches that **the software system assigns each query a unique identifier** (Web Service Control Point assigns each conference invitation a unique conference session-ID number identifying the conference; see column 3, lines 16-23), **and compares the assigned unique identifier with the unique identifier returned by each device along with the input provided by users** (Web Service Control Point compares the assigned conference session-ID number with the conference session-ID returned along with responses from the participants to identify which conference the responses apply; see column 3, lines 49-62) .

10. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action.

**Memhard et al** (US Patent 6,201,859) teaches a method for controlling participant input in conferencing environment. Memhard further teaches that multiple conference participants can provide inputs to the conference simultaneously. These inputs can be textual inputs, audio inputs or visual inputs.



**Quatrano et al** (US Patent 6,748,420 B1) teaches a system that allows multiple computer user participants to access a single shared session to an application in a collaborative manner.

**Shtivelman** (US Patent 6,346,952) teaches a method for extracting keywords from interactive dialogs in a communication-center chat session.

**Palmer et al** (US Patent 5,594,859) teaches a graphical user interface for video teleconferencing in which multiple users can interact in the conference session at the same time.

#### ***Contact Information***

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kieu D. Vu.

The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM at 703-605-1232 through the month of October, 2004 and at 571-272-4057 thereafter.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached at 703-308-3116 through the month of October, 2004 and at 571-272-4048 thereafter.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

703-872-9306

and / or:

703-746-5639 through the month of October, 2004 and 571-273-4057 thereafter  
(use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT")

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communication. Examiners may request that a formal paper / amendment be faxed directly to them on occasions).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703-305-3900).

Kieu D. Vu

09/30/04

A handwritten signature in black ink, appearing to read "Kieu D. Vu", with a stylized flourish at the end.